

ESTTA Tracking number: **ESTTA761316**

Filing date: **07/29/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92063924
Party	Defendant Jackson Hole Distillery, LLC DBA Jackson Hole Still Works
Correspondence Address	JACKSON HOLE DISTILLERY LLC DBA JACKSON HOLE STILL WORKS 6250 PAINTBRUSH TRAIL, WILSON, WY 83014 UNITED STATES
Submission	Answer
Filer's Name	Mark J. Longfield
Filer's e-mail	mlongfield@tetonlaw.com
Signature	/mjl/
Date	07/29/2016
Attachments	JHSW Answer and Affirmative Defenses.pdf(832281 bytes )



## ANSWER

1. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment.
2. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment.
3. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment.
4. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment.
5. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment.
6. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment.
7. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment.
8. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment.
9. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment.
10. This paragraph sets forth a legal conclusion to which no response is required.
11. Respondent hereby restates and incorporates the responses set forth in Paragraphs 1-10 of this Answer in response to Paragraph 11 of the Petitioner's petition.
12. Admit.

13. Deny.
14. To the extent that this paragraph sets forth a factual averment, Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment. To the extent that this paragraph sets forth a legal conclusion, no response is required.
15. To the extent that this paragraph sets forth a factual averment, Respondent denies the averment. To the extent that this paragraph sets forth a legal conclusion, no response is required.
16. To the extent that this paragraph sets forth a factual averment, Respondent denies the averment. To the extent that this paragraph sets forth a legal conclusion, no response is required.
17. Admit and deny. Respondent admits that its products travel in similar sales channels, but denies that Respondents' products travel in the same sales channels.
18. Deny.
19. This paragraph sets forth a legal conclusion to which no response is required.

#### **AFFIRMATIVE DEFENSES**

1. The petition is barred by the equitable doctrine of laches. Petitioner delayed any action or opposition to Respondent's Mark until after the registration of the Respondent's Mark, at which time Respondent had invested significant advertising and manufacturing resources in the use of Respondent's Mark.
2. The Petition is barred by the equitable doctrine of estoppel. Petitioner delayed any action or opposition to Respondent's Mark until after the registration of the Respondent's Mark, at which time Respondent had invested significant advertising and manufacturing resources in the use of Respondent's Mark.



WHEREFORE Respondent respectfully request that the Petition be denied, and for such other relief as the Trademark Trial and Appeal Board may deem just and appropriate. This Answer and Affirmative Defenses is being filed electronically with United States Patent and Trademark Office Trademark Trial and Appeal Board.

BY:



Mark J. Longfield (WY Bar# 6-4445)  
Teton Law Group, LLC  
PO Box 594  
Jackson, WY 83001  
Attorney for Respondent

Date: 7/29/16

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Entry of Appearance has been served on Karen Hawkes Esq., The Craft Beer Attorney, APC by electronic mail to [karen@craftbeerattorney.com](mailto:karen@craftbeerattorney.com) on July 29, 2016, per mutual consent to electronic service between the attorneys for the parties to this matter.



Mark J. Longfield